



UNITED STATES PATENT AND TRADEMARK OFFICE

4

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,363	11/20/2003	Ki Il Kim	17226-2	3595

23676 7590 11/20/2006

SHELDON MAK ROSE & ANDERSON PC
225 SOUTH LAKE AVENUE
9TH FLOOR
PASADENA, CA 91101

EXAMINER

APPIAH, CHARLES NANA

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/719,363

Applicant(s)

KIM, KI IL

Examiner

Charles N. Appiah

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-155 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-26, 138, 148 and 149 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In view of the Amendment filed on 11 October 2006, the claims pending are:
1-15, 18-31, 33-37, 39-49, 51-54, 56-78, 80, 83, 85-86, 88-89, 93-103, 105-111, 113-117, 119-120, 122, 125-133, 137-138 and 140-155.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 148 and 149 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilska et al. (6,427,078).

Regarding claim 148, Wilska discloses a mobile entertainment and communication device (see Fig. 3), for communicating with the Internet and remotely located telephones (feature of cellular mobile telephone and modem 17), comprising: a handheld cellphone for wireless accessing the Internet or placing and receiving phone calls to and from the remotely located telephones (feature of cellular mobile telephone and modem 17), the cellphone having a microphone (20), a speaker (19), a display (9), a microprocessor (4), a wired or wireless earphone and a memory (7, 13), including a

Art Unit: 2617

replaceable memory card (PCMCIA being able to advance the exchangeability of integrated circuit cards in computers and other electronic devices, see col. 4, lines 1-8), the microprocessor controlling the reproduction of continuing sounds and continuing moving images (camera functions to record images, col. 3, lines 54-65, separately or simultaneously (capability of transmitting both data and speech via the integrated cellular mobile phone unit, see col. 3, lines 45-53), by directing the continuing sounds and continuing images appropriately to the wired or wireless earphone and the display from at least one of the memory or replaceable memory card, the internet or the remote telephone or radio broadcasting (images stored in the mobile organizer's memory can be viewed using an operating program, see col. 6, lines 3-13).

Regarding claim 149, Wilska discloses a mobile communication device (see Fig. 3), for communicating with the Internet and remotely located telephones (feature of cellular mobile telephone and modem 17), comprising: a handheld cellphone for wireless accessing the Internet or placing and receiving phone calls to and from the remotely located telephones (feature of cellular mobile telephone and modem 17), the cellphone having a microphone (20), a speaker (19), a display (9), a camera (14), a microprocessor (4), and a memory (7, 13), the microprocessor providing operation for capturing (see col. 3, lines 12-21), storing or transmitting to a pre-selected address on the Internet or pre-selected one of the remotely located telephones sounds and at least one of moving images or combined sounds and moving images activated by at least one of voice, sensor detection or single button (see col. 3, lines 36-65).

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 24, 25 and 138 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suomi et al. (5,657,371) in view of Tanaka et al. (5,420,573).

Regarding claim 24, Suomi discloses a mobile entertainment and communication device for communicating with remotely located telephones (see Fig. 2), comprising: a cell phone having a portable housing of a size and weight for being handheld by a person and adapted for placing and receiving person-to-person telephone calls to and from remotely located telephones the cell phone having an inherent microphone, a speaker and a memory (feature of mobile phone operating in a cellular network, i.e., a hand portable telephone, see col. 3, lines 6-7), and a jack connection (7A, 7B) on the housing for a wired connection between the cell phone and a separate device (9), for at least one of downloading or uploading data there between (mobile phone having connection wires (5, 6), and for external audio signals and control signals as well as data transfer via the modem, see col. 3, lines 6-55). Suomi fails to explicitly teach wherein the data include at least one of moving images or combined sounds and moving images.

In an analogous field of endeavor, Tanaka discloses an audiovisual system that includes connection means for connecting two audio-visual devices and transmitting/receiving means for transmitting and/or receiving data from each other (see col. 1, lines 44-55). According to Tanaka, further discloses that the bi-directional transfer

of audio-visual data between the first AV device and the second AV device involves the use of a download data receptor for performing download operation (see col. 2, lines 40-48, col. 3, lines 5-11), and that video tape recorders, laser disk players, personal computers, game devices, compact disk players and tuners may be utilized as components of an audio-visual system according to the invention (see col. 4, lines 3-9).

It would therefore have been obvious to one of ordinary skill in the art to combine Tanaka's audio-video communication system with Suomi's connector assembly between a radiotelephone and a computer in order to provide for the bidirectional transfer of data such as sounds and audio-visual information between communication devices in an uncomplicated manner as taught by Tanaka.

Regarding claim 25, Suomi further discloses wherein the separate device is at least one of a computer or a television (see PC 3 Fig. 2).

Regarding claim 138, Suomi discloses as illustrated in Fig. 2, a mobile entertainment and communication device comprising: a housing of a palm-held size (cellular phone 1), a cell phone provided in the housing and adapted for wirelessly accessing remotely located telephones (cellular phone 1), the cell phone having a memory (inherent feature of mobile phone being processor-controlled in a conventional manner, see col. 3, lines 28-30), a jack (7A, 7B), on the housing operatively connected to the cell phone and memory, and a connection wire with a plug on an end (5, 6) for connecting to the jack (connection of lines 5, 6 to PC 3), and a connector on the other end for connecting to at least one of a personal computer, a television or other device (3) for downloading or reviewing data from at least one of the

memory or a replaceable memory card, the data including sounds (mobile phone having connection wires 6 and for external audio signals and control signals as well as data transfer via the modem, see col. 3, lines 6-55). Suomi fails to explicitly teach that the downloaded data include at least one of moving images, music with or without images or combined sounds and moving images simultaneously.

In an analogous field of endeavor, Tanaka discloses an audiovisual system that includes connection means for connecting two audio-visual devices and transmitting/receiving means for transmitting and/or receiving data from each other (see col. 1, lines 44-55). According to Tanaka, further discloses that the bi-directional transfer of audio-visual data between the first AV device and the second AV device involves the use of a download data receptor for performing download operation (see col. 2, lines 40-48, col. 3, lines 5-11), and that video tape recorders, laser disk players, personal computers, game devices, compact disk players and tuners may be utilized as components of an audio-visual system according to the invention (see col. 4, lines 3-9).

It would therefore have been obvious to one of ordinary skill in the art to combine Tanaka's audio-video communication system with Suomi's connector assembly between a radiotelephone and a computer in order to provide for the bidirectional transfer of data such as sounds and audio-visual information between communication devices in an uncomplicated manner as taught by Tanaka.

6. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suomi et al. in view of Tanaka et al. as applied to claims 24 and 25 above, and further in view of Guenther (5,613,222).

Regarding claim 26, Suomi as modified by Tanaka fail to explicitly a second jack connection on the housing for a wired connection between the cell phone and a microphone/speaker combination for hands-free speaking and listening on the cell phone.

Guenther discloses a cellular telephone headset for hands-free communication wherein the cellular telephone includes a jack connection for wired connection between the phone and the headset (microphone speaker combination) for hands-free speaking and listening on the phone (see Fig. 1, col. 1, line 65 to col. 2, line 10, col. 3, lines 1-41).

It would therefore have been obvious to one of ordinary skill in the art to combine Guenther's headset connection assembly with the combination of Suomi and Tanaka in order to provide a hands-free means which is easy to connect to a phone and convenient to use as taught by Guenther.

Allowable Subject Matter

7. Claims 1-15, 18-23, 27-31, 33-37, 39-49, 51-54, 56-65, 68-78, 80, 83, 85,86, 88, 89, 93-99, 102-103, 105-11, 113-117, 119-120, 122, 125, 127-133, 137, 140-147 and 150-155 are allowed.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Liikanen et al. (5,699,406) discloses an arrangement for securing the SIM card in a mobile telephone.

Braitberg et al. (5,535,274) discloses a universal connection for connecting a cellular telephone to a host assembly.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Response to Arguments

10. Applicant's arguments with respect to claims 24-26, 138, 148 and 149 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles N. Appiah whose telephone number is 571 272-7904. The examiner can normally be reached on M-F 7:30AM-5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone

Art Unit: 2617

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CA


CHARLES APPIAH
PRIMARY EXAMINER